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Rev

**AMENDMENT TO H.R. 2262, AS REPORTED  
OFFERED BY MR. DEFAZIO OF OREGON**

In section 102(a)(2), strike “4 percent” and insert  
“4.15 percent”.

At the end of section 102(a) add the following:

1           (6) WAIVER.—

2           (A) IN GENERAL.—Any royalty under this  
3           subsection shall not apply for a person for any  
4           tax year for which the person certifies to the  
5           Secretary in writing that the person and all re-  
6           lated parties with respect to such person, in the  
7           aggregate, had annual gross income from min-  
8           eral production in an amount less than  
9           \$100,000.

10           (B) AGGREGATION OF INCOME.—The dol-  
11           lar amount in subparagraph (A) shall be ap-  
12           plied, for a person, to the aggregate of all an-  
13           nual gross income from mineral production  
14           under all mining claims held by or assigned to  
15           such person or any related parties with respect  
16           to such person, including mining claims located

1 or for which a patent was issued before the date  
2 of the enactment of this Act.

3 (C) DEFINITIONS.—For the purposes of  
4 this paragraph, the term “related parties”  
5 means, with respect to a person—

6 (i) the spouse and all dependents (as  
7 defined in section 152 of the Internal Rev-  
8 enue Code of 1986) of the person; or

9 (ii) another person who is affiliated  
10 with the person, including—

11 (I) another person controlled by,  
12 controlling, or under common control  
13 with the person; or

14 (II) a subsidiary or parent com-  
15 pany or corporation of the person.